

NO. 14-23-00361-CV

IN THE COURT OF APPEALS
FOR THE FOURTEENTH DISTRICT
OF TEXAS AT HOUSTON, TEXAS

IN THE INTEREST OF
X.E., A CHILD

A.A., APPELLANT

VS.

DEPARTMENT OF FAMILY & PROTECTIVE
SERVICES, APPELLEE

ON APPEAL FROM
THE 314TH DISTRICT COURT OF
HARRIS COUNTY, TEXAS
TRIAL COURT CAUSE NO. 2022-00633J

**COUNSEL’S MOTION TO WITHDRAW
AFTER FILING *ANDERS* BRIEF ON BEHALF OF APPELLANT A.A.**

TO THE HONORABLE JUSTICES OF THE FOURTEENTH COURT OF
APPEALS:

DONALD M. CRANE, the undersigned appointed appellate counsel for
Appellant, A.A. (“Father”), files his motion to withdraw and in support thereof
respectfully shows:

1. Good cause exists to grant this motion to withdraw. The trial court found Appellant to be indigent and later terminated his parental rights to X.E. Counsel was appointed to represent him on appeal.

2. Contemporaneously with filing this motion to withdraw, Counsel is filing an *Anders* Brief on Behalf of Appellant A.A. (“*Anders* Brief”) wherein he concludes that pursuing the referenced appeal in the Court of Appeals for the Fourteenth District of Texas at Houston, Texas is frivolous pursuant to *Anders v. California*, 386 U.S. 738 (1967).

3. Counsel, through correspondence, explained to Appellant A.A. that he still is presumed to be indigent and that Counsel is obligated to pursue the appeal on his behalf. He also informed the father that he has a right to object to this motion, file a *pro se* response identifying what he believes to be meritorious grounds to be raised in his appeal, should he so desire, review the appellate record, should he wish to do so, before filing that response, file a *pro se* Original Brief in this Court and have a copy of the appellate record.

4. Counsel further explained the process for obtaining the appellate record, provided a *Motion for Pro Se Access to the Appellate Record*, lacking only appellant’s signature and the date, and provided the mailing address for this Fourteenth Court of Appeals.

5. Counsel further explained the Appellant of his right to seek discretionary review *pro se* should this Court declare his appeal frivolous.

6. Counsel further explained pursuant to the *Anders* procedures this Honorable Fourteenth Court would conduct its own independent review of the record. If this Court determines there is any arguable point of error, this Court will grant counsel's motion to withdraw and abate the appeal to permit the trial court to appoint new appellate counsel with instructions to file an original brief. Alternatively, if this Court concurs that there is no non-frivolous issue to raise in the original brief, it will deny the brief and permit appointed appellate counsel to withdraw.

7. Finally, this motion to withdraw complies with Texas Rules of Appellate Procedure 6.5 and 10.1(a)(5).

WHEREFORE, DONALD M. CRANE, appointed appellate counsel for Appellant A.A., prays that this motion be granted and that he be permitted to withdraw as appellate counsel for A.A. for good cause.

Respectfully submitted,

CRANE LANE LLP

/s/ Donald M. Crane

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ATTORNEY AD LITEM ON
APPEAL FOR
APPELLANT A.A.

CERTIFICATE OF CONFERENCE

The filing party conferred, or made a reasonable attempt to confer, with all other parties about the merits of the motion and whether those parties oppose the motion and there is no opposition to *Counsel's Motion to Withdraw After Filing Anders Brief on Behalf of Appellant A.A.*

/s/ Donald M. Crane
Donald M. Crane

CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of July, 2023, a true and correct copy of the foregoing *Counsel's Motion to Withdraw After Filing Anders Brief on Behalf of Appellant A.A.* was sent electronically to the following counsel and forwarded to Appellant A.A.

Counsel for Petitioner/Department of Family and Protective Services:

1. Robert J. Hazeltine-Shedd
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Attorney Ad Litem for the Child:

2. Jo Ann Weiss Schaffer
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Appellant via FIRST CLASS, U.S. MAIL at Last Known Address:

3. Mr. A.A.
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Mail Box A-13
Kingsland, Georgia 31548
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**Appellant via CERTIFIED MAIL, RETURN RECEIPT REQUESTED
7020 2450 0000 0285 3619:**

4. Mr. A.A.
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/s/ Donald M. Crane
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